

Nelson & McCulloch

Intellectual Property Litigation
New York | District of Columbia

155 East 56th Street
New York, New York 10022
T: (212) 355-6050
F: (646) 308-1178

Dan Nelson*

Kevin P. McCulloch*

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1-19-2016

January 19, 2016

VIA ECF AND FACSIMILE

Honorable Laura T. Swain
United States District Court
Southern District of New York
500 Pearl Street, Room 620
New York, NY 10007

RECEIVED

RE: *Senisi v. John Wiley & Sons, Inc.*, No. 13-cv-3314 (LTS) (AJP)

Dear Judge Swain,

This firm is counsel for Plaintiff Ellen Senisi ("Plaintiff") in the above-referenced case against Defendant John Wiley & Sons, Inc. ("Defendant"). I write to request that the Court stay the pre-trial conference and related preceding deadlines pending the Court's ruling on Plaintiff's motion for reconsideration or, in the alternative, for certification of the Court's rulings as a final judgment and to stay this action pending appeal. There is good cause to stay these deadlines as the Court's resolution of Plaintiff's motion will dramatically affect the parties' pre-trial positions and may moot the need for the pretrial conference entirely.

As required by Your Honor's Individual Practices, I have conferred with counsel for Defendant regarding the requested relief and have been advised that Wiley does not oppose this application for a stay, but intends to oppose the motion for reconsideration/certification on both procedural and substantive grounds. Counsel for both parties further request that in the event that Plaintiff's motion for a stay is denied, the Court set new deadlines for the exchange of exhibit and witness lists between the parties and the filing of *in limine* motions, such that the deadline to exchange the exhibit and witness lists is 14 days after such denial and the deadline to file *in limine* motions is 21 days after such denial.

The stay and pre-conference
submission scheduling
requests are granted.
DE #218 resolved.

Respectfully submitted,

Kevin McCulloch

Kevin McCulloch

SO ORDERED:


HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

*Admitted in NY and CO
*Admitted in NY and DC

www.nelsonmcculloch.com